



BYLAW TEMPLATE FOR CITY ADVISORY BODIES

[Portland Pedestrian Advisory Committee] ("Body")

I. Body created on September 22, 1993, by

- ☐ Portland City Code _____
- ☒ Council Resolution 35185 _____
- ☐ Council Ordinance _____
- ☐ Bureau _____; by whom _____
- ☐ Other _____

A. Purpose

The purpose of the Portland Pedestrian Advisory Committee is to advise City Council and all departments of the City on all matters that encourage and enhance walking as a means of transportation, recreation, wellness, and environmental enhancement. In this context walking includes the use of medically approved devices that provide a similar level of mobility. The Pedestrian Advisory Committee is a perpetual body.

The responsibilities of the committee shall include but are not limited to:

Section 1. Pedestrian Policy

- a. Review and make recommendations on planning documents prepared by City bureaus affecting pedestrians and pedestrian facilities. These shall include but are not limited to the Comprehensive Plan, the Transportation System Plan, Neighborhood Plans, area-wide Development Plans, and the Central City Plan.
- b. Review and make recommendations regarding funding priorities for Pedestrian program activities, Capital Improvement Projects, and other activities insofar as they relate to Pedestrians.
- c. Maintain and periodically update the Portland Pedestrian Design Guide and Pedestrian Master Plan. Monitor the implementation of those documents.
- d. Monitor activities of other City Bureaus, jurisdictions, Metro, and the State as they affect pedestrians and pedestrian facilities in the City.
- e. Ensure that pedestrian policies and plans promote equity by meeting the needs of people from traditionally underserved communities.

Section 2. Pedestrian Network Implementation

- a. Assist Portland Transportation staff in setting priorities for pedestrian improvements.
- b. Review and make recommendations on Capital Improvement Projects developed within the City boundaries by governmental agencies to ensure that pedestrian needs and pedestrian facilities are given full attention.
- c. Provide staff with comment and recommendations relating to urban design and planning issues including transportation needs and other elements of the public realm and the pedestrian environment.
- d. Advise Bureau of Transportation staff on issues related to public involvement.

Section 3. Education and Enforcement

- a. Advise City staff on issues related to promoting pedestrian safety and education.
- b. Promote walking as the most environmentally friendly form of transportation.
- c. Promote walking for health and recreation.
- d. Work with law enforcement and other City bureaus to promote enforcement of and education about laws, policies and regulations pertaining to pedestrians.

B. Sponsor Bureau: PBOT

C. Bureau liaison/title: PBOT Pedestrian Coordinator

D. Advise to

- ☒ City Council
- ☐ Elected-in-Charge¹
- ☐ Bureau Director
- ☐ Designated bureau staff (title)

II. City Role

The Bureau will provide a staff person to assist with technical support, substantive expertise, logistical assistance, administrative assistance, and advice to the Body. The Bureau will also provide public notice of all meetings, post materials to a webpage, and prepare meeting summaries that outline the issues discussed, the areas in which there is agreement, and any remaining issues on which agreement was not reached.

III. Frequency of Meetings

The Body shall meet monthly year-round and as otherwise necessary to conduct its business.

¹ The term Elected-in-Charge refers to any of the five elected Commissioners (including the Mayor) plus the City Auditor.

Meeting dates and times can change at the discretion of the Chair and Vice-Chair, such as if the meeting falls on a holiday or in the event of inclement weather. Meetings shall be conducted in accordance with the operating procedures specified herein.

IV. Membership and Term

Members of advisory bodies are public officials. They should become familiar with rules and responsibilities described at the “Oregon Government Ethics Law - A Guide for Public Officials” (Oregon Government Ethics Commission).

A. Total membership consists of 15 seats.

All seats serve 2-year terms.

B. Terms:

- ☒ Staggered
- ☐ All terms begin/end at the same time

C. Term Limits

1. Members may serve any number of terms not to exceed eight years of total consecutive service. Completion of an unexpired term does not apply toward the eight-year cumulative.
2. At the completion of each term, regardless of term length, incumbents are required to complete notice of intent to continue to serve and discuss mutual benefits of continuing on the body with the designated bureau staff.
3. Members interested in continuing service beyond eight years must sit out for:
 - ☐ two years (if the body does not have set terms)
 - ☒ one term

before reapplying to serve on the same advisory body.

Members may not have alternates and all serving members are selected and appointed to full terms. Whether a seat is filled for the remainder of the vacated term or anew will be determined by the appointing entity. If there are vacancies, including if a position becomes vacated during a term, normal recruitment processes should follow. The process includes recruitment applications, vetting and selecting members, and appointment by the Elected-in-Charge (for types I and II bodies) or bureau director (for type III bodies).

D. Appointment

1. Qualifications: Any person who lives, works, or worships in the City of Portland shall be eligible for membership. Applicants should have an interest in transportation planning and design, and promoting walking for transportation, recreation, and environmental enhancement, an understanding of transportation and urban design issues, have good communication skills for working on a committee, and make a commitment to attend monthly meetings and participate in

the work of the committee.

2. Becoming a Member:

- a. A membership subcommittee shall be formed to recruit new members and review applicants' qualifications, interview applicants, and present recommendations to the PAC for membership.
- b. Applications for membership are made through the Bureau of Transportation.

3. Representational Goals: In addition to the general qualifications for membership above, the Committee should include members who can offer the perspective of the special needs of the elderly, children, the disabled (especially wheel chair users), and distinct geographical areas. The committee will represent the needs of a variety of social, cultural, and economic groups, and distinct geographical areas of the city, and include members who can add to the variety of organizational, operational and technical knowledge within the Committee.

Members may not have alternates and all serving members are selected and appointed to full terms. Whether a seat is filled for the remainder of the vacated term or anew will be determined by the appointing entity. If there are vacancies, including if a position becomes vacated during a term, normal recruitment processes should follow. The process includes recruitment applications, vetting and selecting members, and appointment by the Elected-in-Charge (for types I and II bodies) or bureau director (for type III bodies).

E. Quorum:

- ☒ Simple majority: 50% plus 1 or greater number of seats
- ☐ A specific number _____, per the authority of _____[other law]

(Type III advisory boards advising an individual rather than Council are not required to have a quorum to deliberate. These bodies may use alternative means to arrive at recommendations.)

F. Voting:

- ☒ Majority of seats per ORS 174.130
- ☐ Majority of quorum present per the authority of ____[other law]

A quorum shall be necessary of voting members to make decisions that represent the position of the Body and to fulfill any other responsibilities. Proxy/absentee voting is not allowed.

(Type III advisory boards advising an individual rather than Council are not required to administer a formal vote to make recommendations.)

V. General Operating Procedures

A. Disclosure of Conflicts of Interest [or other connection]

- A public official is required to make an announcement of the nature of a conflict

of interest each time the issue giving rise to the conflict of interest is discussed or acted upon.

- The announcement needs to be made on each occasion when the public official is met with the conflict of interest, and the public official must disclose the nature of the conflict of interest.
- For example, an elected member of the City Council would have to make the public announcement one time when met with the conflict of interest, but only one time in each meeting of the City Council. If the matter giving rise to the conflict of interest is raised at another meeting, the disclosure must be made again at that meeting.
- Bureau liaison and/or staff are obligated to record and keep all conflicts of interest that are announced during each meeting.
- If it is found that a member did not disclose a conflict of interest, staff must alert the Bureau Director of the instance as soon as the incidence is known.
- Any potential or actual conflict of interest noted by staff will be included in the recommendation report provided to City Council or other final decision-making body.

B. Meetings will be conducted to foster collaborative decision-making using either:

- Robert's Rules of Order culminating in a majority vote;
- Consensus Decision Making (including Modified Consensus Decision Making). This still requires a quorum and a final vote.

VI. Removal of Members and Resignations

A. All members serve at the pleasure of the Elected-in-Charge of the Bureau (for bodies advising council) or Bureau Director (for all other bodies) and may be asked to resign or be removed at the Elected-in-Charge or Director's discretion at any time unless authority (for instance, Code, statute, etc.) exists requiring a different process.

B. Any member who does not give notice that they intend to be absent from a scheduled meeting for more than 25 percent of the meetings in any 12 months of the service will be removed by the Elected-in-Charge.

C. Process for removal

- For unexcused absences: Bureau liaison keeps attendance and informs Bureau Director of absences, who in turn informs the member in writing that they have been removed as a member of the Body.
- By Elected-in-Charge: Elected informs the member in writing that they have been removed as a member of the Body.

D. Resignation process

Members are expected to make a good faith effort to complete their term. In cases where this is not possible, members are expected to provide notice to the City staff liaison in

writing (preferred) or verbally. Members are encouraged to complete the Resignation Form and submit to City staff liaison.

VII. Officers and Subcommittees (optional)

The presiding officers of the Body may consist of the following positions in sequential presiding order

- ✓ Chairperson (Chair)
- ✓ Vice-chairperson (Vice-Chair)
- ☐ coordinating committee (or similar)

and will act as designated leadership appointed by:

- ☐ Elected-in-Charge.
- ☐ Bureau Director.
- ✓ Majority vote of members or consensus decision-making.

The Committee may opt (by vote) to designate two Co-Chairs who will share leadership responsibilities in lieu of a Chair and Vice-Chair.

The designated leadership shall be responsible for conducting the meetings and will be voting members of the advisory body. A presiding officer will be designated at all times. The designated leadership may look to Bureau liaison to facilitate meetings.

The designated leadership will encourage full and safe participation by representatives in all aspects of the process, assist in the process of building consensus, and ensure all participants abide by the Body's operating procedures. The

- ☐ Chair and the Bureau staff liaison
- ✓ Bureau staff liaison
- ☐ Other _____

will also serve as liaison between the members of the Body and the City. In consultation with the Facilitator (if there is one) and Bureau liaison, the designated leadership will develop meeting agendas, establish subcommittees if needed, and ensure an efficient advisory process.

The Body may divide its members into subcommittees authorized to act on behalf of the full Body for an assigned purpose.

Subcommittee meetings are also subject to Oregon Public Meetings Law and must abide by quorum requirements when voting. While subcommittees may engage non-members, only members may vote to approve reports and recommendations to be forwarded to the full Body. When voting, the quorum for subcommittee members is the simple majority of the subcommittee (50% plus 1 or greater number of seats).

VIII. Facilitator Role

The City may contract with an independent and neutral third party whose role is to facilitate

meetings, help develop recommendations, and produce approved reports. The Facilitator will not act as an advocate on any issue, any interest group, or any member of the Body.

Specific facilitators' responsibilities are determined by the needs of the Bureau and advisory board, but may include:

- Ensure a welcoming meeting environment where all members can participate.
- Ensure a safe environment for minority opinions.
- Conduct meetings in a manner to foster collaborative decision-making and consensus building.

IX. Communications

Members agree that transparency is essential to all deliberations. In that regard:

- Advisory body members are required to notify City staff liaison of verbal communications with interest groups and all communications with media. Members are required to copy the City staff liaison and, when appropriate, the Facilitator on all written communications from/to interest groups (other than a group specifically represented by a member) commenting on the Body's deliberations. These communications will be included in the public record as detailed below and copied to the Chair and/or full Body as appropriate.
- On rare occasions, some advisory bodies may ask or be asked to write position letters to external groups or governments in support or opposition of policy issues that are relevant to the purpose and scope of the Body. This is accomplished by first proposing the position to the Staff Liaison to the advisory body. The Staff Liaison and/or bureau leadership must work with PBOT's liaison to the Office of Government Relations if the external communication is with a regional, state, federal or tribal government according to PBOT procedures. This process is required in accordance with Administrative Rule 3.01, which establishes the Office of Government Relations as the central coordinating body for this external intergovernmental outreach.

X. Public Meetings and Records

Meetings of the full body and subcommittee meetings are open to the public and will be conducted under the provisions of Oregon Public Meetings Law (ORS 192.610-690). The Bureau liaison will provide notice to the public regarding the dates, times, and locations of all meetings:

- Regular meetings:
 - Best practices: at least one week,
 - Minimum requirement: at least 48 hours,
- Special meetings: at least 24 hours.

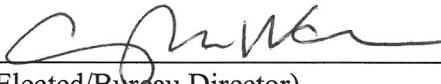
Per ORS 192.670(1), advisory body members can participate through telephonic conference calls. Requests for any other electronic communication means require approval from the Bureau liaison with City Attorney consultation. All records of the Body, including formal documents, discussion drafts, meeting summaries, and exhibits are public records. Communications among members related to the subject matter of this Body should not be treated as confidential and may be subject to public records requests. "Communications" refers to all statements and votes made

during meetings, memoranda, work projects, records, documents, text messages, pictures, or materials developed to fulfill the charge, including electronic mail correspondence by and among the members. The personal notes of individual members taken at public meetings might be considered to be public record to the extent they "relate to the conduct of the public's business," (ORS 192.410(4)). Members are not allowed to deliberate towards a decision over e-mail, as public participation needs to be guaranteed through that process.

XI. Amendment of Bylaws

The Body may vote to recommend to the Elected-in-Charge amendment or repeal of these Bylaws. The Bureau may also recommend changes to the Elected-in-Charge. The Elected-in-Charge must sign off on original bylaws and any amendments to the bylaws. Members have no authority to amend bylaws without approval.

Original Bylaws Created by: Michelle Marx, PBOT Pedestrian Coordinator on August 8, 2019

Approved by: , on 2/24/20.
(Elected/Bureau Director) (date approved)

Amended: _____, on _____.
(name, title) (date amended)

Approved by: _____, on _____.
(Elected/Bureau Director) (date approved)

Amended: _____, on _____.
(name, title) (date amended)

Approved by: _____, on _____.
(Elected/Bureau Director) (date approved)